

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
ROYAL PARK INVESTMENTS SA/NV, :  
Individually and on Behalf of All Others :  
Similarly Situated, :  
: Plaintiff, :  
v. : Civil Action No. 14-cv-02590-VM-JCF  
: U.S. BANK NATIONAL ASSOCIATION, :  
as Trustee, :  
: Defendant. :  
-----X

**NOTICE OF MOTION AND MOTION FOR SANCTIONS AGAINST PLAINTIFF  
ROYAL PARK INVESTMENTS SA/NV**

MORGAN, LEWIS & BOCKIUS LLP

Tera M. Heintz\*  
Benjamin P. Smith\*  
Ashley A.H. Krupski\*  
One Market Street  
San Francisco, CA 94114  
Tel: (415) 442-1000  
Fax: (415) 442-1001  
[tera.heintz@morganlewis.com](mailto:tera.heintz@morganlewis.com)  
[benjamin.smith@morganlewis.com](mailto:benjamin.smith@morganlewis.com)  
[ashley.krupski@morganlewis.com](mailto:ashley.krupski@morganlewis.com)  
\*admitted *pro hac vice*

Michael S. Kraut  
101 Park Avenue  
New York, NY 10178  
Tel: (212) 309-6000  
Fax: (212) 309-6001  
[Michael.kraut@morganlewis.com](mailto:Michael.kraut@morganlewis.com)

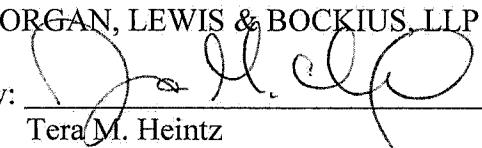
Attorneys for Defendant  
U.S. Bank National Association, as Trustee

**PLEASE TAKE NOTICE** that Defendant U.S. Bank National Association (“U.S. Bank”), pursuant to Federal Rule of Civil Procedure 37 and this Court’s November 30, 2016 Order, moves for an Order granting sanctions against Plaintiff Royal Park Investments SA/NV (“Royal Park”), for Royal Park’s failure to comply with this Court’s March 30, 2016, April 19, 2016, and May 9, 2016 Orders. U.S. Bank requests that the Court enter an order:

- Finding that U.S. Bank has been and will be prejudiced by Royal Park’s failure to produce Assignor documents;
- Precluding Royal Park’s damage claims for purportedly assigned claims; and
- Precluding Royal Park from serving as class representative.

In support, U.S. Bank relies on the accompanying Memorandum of Law in Support of Motion for Sanctions Against Plaintiff Royal Park Investments SA/NV; the Declaration of Tera Heintz in Support of Motion for Sanctions Against Plaintiff Royal Park Investments SA/NV, and attached exhibits; U.S. Bank’s May 27, 2016 Motion for Sanctions Against Plaintiff Royal Park Investments SA/NV and supporting documents, as well as all other matters properly before the Court.

DATED: March 3, 2017

MORGAN, LEWIS & BOCKIUS, LLP  
By:   
Tera M. Heintz

Attorneys for Defendant  
U.S. Bank National Association, As Trustee